

[3th May 1952]

The House divided as follows :—

Ayes.

1 The Hon. Sri C. Rajagopalachari.	22 Sri K. P. Yagneswara Sarmā.
2 Sri N. Ranga Reddi.	23 „ S. Chengalraya Chetty.
3 „ A. M. Allapichai.	24 „ T. G. Krishnamurthi.
4 „ C. Perumalsami Reddi.	25 „ N. Annamalai Pillai.
5 Dr. S. Muthulakshmi Reddi.	26 „ T. J. M. Wilson.
6 Srimathi R. S. Subbulakshmi Ammal	27 „ M. Satyanarayana.
7 „ S. Manjubhashini.	28 Janab Mahomed Usman.
8 Sri R. Nathamuni Reddy.	29 Sri V. Bashyam Ayyangar.
9 The Hon. Dr. M. V. Krishna Rao.	30 „ T. Purushothama Mudaliar.
10 Dr. C. Nathamuni Naidu.	31 „ P. N. Marthandam Pillai.
11 Sri S. O. S. P. Odayappa.	32 „ V. R. Ranganathan.
12 „ T. M. Dajvasikhamani Achariar.	33 „ V. Ramakrishna.
13 „ M. Ethirajulu.	34 „ E. H. Parameswaran.
14 „ G. Venkatachalam.	35 „ M. Harischandra Prasad.
15 „ V. Rangasami Naidu.	36 „ Pendyala Sree Ramachandra
16 „ M. Sitharama Das.	„ Venkata Krishna Ranga Rao.
17 „ M. P. Sivagnana Gramany.	37 „ R. Govindarajuu Naidu.
18 „ S. P. Sivasubramanya Nadar.	38 „ K. Balasubramanya Ayyar.
19 „ R. Venkatasubba Rao Chowdary.	39 „ N. Nallasenapathi Sarkarai
20 „ G. Venkata Reddi.	„ Mandradia.
21 „ D. Venkata Rao.	40 „ A. Subramaniam.
	41 Srimathi J. Sitamahalakshmi.
	42 Mrs. M. N. Chubwala.

Noes.

1 Sri G. Krishnamurthi.	7 Sri V. Chakkarai Chetty.
2 „ C. Rajeswara Rao.	8 „ M. P. Govinda Menon.
3 „ B. V. Subrahmanyam.	9 „ S. Ramakrishniah.
4 „ V. Gurunandan Row.	10 Janab Syed Mahaboob.
5 „ T. Prakasam.	11 Sri P. Seetharamayya.
6 „ S. B. Adityan.	

Ayes 42; Noes 11.

The motion was carried.

V.—MOTION FOR ADMONITION TO A MEMBER FOR BREACH OF
PRIVILEGE OF THE HOUSE.

3-30 p.m. MR. CHAIRMAN :—“ The next item on the Agenda is the Motion given notice of by the Hon. Sri C. Rajagopalachari.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Chairman, Sir, I have to fulfil an unpleasant task. It gives me no pleasure to make the Motion that I have given notice of. Sir, one has to do many things and sometimes unpleasant tasks form one's duty. The Motion that I have given notice of reads as follows :—

“ Whereas on the sixth day of May 1952, when the two Houses had assembled together for the purpose of listening to the Address of His Excellency the Governor under Article 176 (1) of the Constitution the hon. Member, Sri T. Prakasam, in deliberate disregard of all constitutional proprieties, rose and interrupted the proceedings by delivering a speech questioning the competence of His Excellency to address the Houses and casting reflections on his conduct as Governor of this State ;

And whereas by such indecorous and disorderly conduct, the hon. Member committed a breach of the privileges of this House and was guilty of a grave contempt ;

Now, therefore, this House hereby administers a stern admonition to the hon. Member for his misconduct.”

“ Sir, it would not be necessary . . . ”

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SRI T. PRAKASAM :—“ Sir, I rise on a point of order. This resolution cannot be moved before this House as it is constituted to-day. The resolution refers to what was said before a Joint House consisting of this House and the Assembly. It was on that occasion that the Governor came there and a point of order was raised by me. I am submitting therefore that this resolution must be brought before the Joint House, in the same manner as the point of order was raised by me before a Joint House. It is a matter of ordinary commonsense—leave aside all constitutional positions, jurisdiction, law points and technicalities—that this matter should come up before a Joint House. I submit that it is really an insult to the very Governor for whose sake the Leader of the House seems to have made this motion. As I said already, the Joint House to which the Governor delivered his Address, consisted of the Members of this House and also the Members of the Assembly. In the fitness of things, this resolution ought to have been brought before a Joint House. Instead of doing that, the Leader of the House has considered it fit to bring this resolution before this House, because he perhaps felt that the House as it is constituted to-day was in his favour, and would vote in his favour. No such presumption should be made by the Leader of the House, whatever might be the composition of this House. No such presumption should be made even by me a person who is affected by this resolution. This House has come into existence under the charter of the Constitution which says that this House has got certain duties to fulfil. It is in connection with the discharge of those duties that you became the Chairman of this House and you are in charge of this House conducting the proceedings day-to-day. So far as this matter is concerned, it cannot be placed before this House and we cannot ask for the opinion of this House alone. I should have expected the Hon. Leader of the House to concede this much, namely, that it is not proper to break up the Joint House in this manner. It is before the Joint House consisting of the Members of this House and the Assembly, that the so-called offence—if it is an offence at all and I will come to that point later and deal with it separately and prove that it is no offence at all—is said to have been committed by me. Therefore, I submit that we cannot proceed one step further with regard to this resolution and ask the Members of this House to vote separately on the propriety or impropriety, decency or indecency on the part of the offender in question. The Leader of the House must, in fairness, admit that this House has got a separate existence under the Constitution. He must examine the provisions of the Constitution and see what powers this House possesses, and what powers this House can exercise in matters of this nature. You can discharge your duties as Chairman of the House and do certain things only according to the Articles of the Constitution relating to this House. Sir, you cannot put into this House a new life or a new power that does not exist and that will not be given under the Constitution. The Constitution has made a distinction between the Assembly and this Council. The Assembly is the

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real governing body. All the Money Bills have first to be introduced in the Assembly and no Money Bill can be introduced by any one of the Members or any one of the Ministers in this House. It will thus be seen that even under the Constitution, this House has been dealt with in an altogether different manner from the other House. Just as a man cannot be brought before a Court of Law for contempt of Court unless it is also a Court of Record, this matter relating to an offence said to have been committed by a Member before a Joint House cannot be brought before this House. This House has no power to consider the present motion. Such serious matters like, discipline, censure, etc., cannot be considered by this House unless it possesses the power of a Court of Record on judicial matters. Unless it is a Court of Record, no man can be taken before that Court on the ground that he has committed the offence of contempt of Court.

“ In this connexion, I would like to refer to an occasion when I was myself subject to contempt proceedings. There was a Court presided over by a Judge of the High Court and two other gentlemen. All the three were conducting a case which related to contempt of Court alleged to have been committed by me as editor and proprietor of a newspaper.

3-45
P.M

“ I was called upon at the instance of my esteemed friend, Mr. A. Ramaswami Mudaliar, to explain my conduct before a Court. He called the attention of the Court and said: ‘ Look here, by writing these matters in his paper *Swarajya* he has committed an act which amounts to contempt of Court ’. He referred to the comments I wrote in my paper on the proceedings of the Court. Mr. Ramaswami Mudaliar is an old friend of mine and he asked me then why I should not be committed for contempt of Court. I received a notice to this effect and you know, Sir, what I wrote back on the back of the notice itself? I wrote, ‘ I refuse to appear before the Court ’. The matter came up before the Court. Then, Mr. T. R. Venkatarama Sastri, who is now reputed for his statement in connexion with the Governor’s Address and my walk-out, was the Advocate-General and the Judges of the Court asked him: ‘ Well, Mr. Prakasam has refused to appear before us; what have you got to say? ’ Honest man, that Mr. T. R. Venkatarama Sastri was, at that time (laughter), he gave the opinion: ‘ I am not prepared to say anything off-hand. I was not prepared for this point. Give me time ’. A fortnight’s time was given to him during which period he examined the papers, records and precedents. He finally found that I was right, came to the Court and said: ‘ Well, Mr. Prakasam is right in refusing to appear before this Court because it is not a Court of Record. It is only a Court of Record that can try a person for contempt of Court ’. Therefore, Sir, this House should not be called upon to decide whether I have committed any offence or any irregularity in conduct. We must go into the very root of the matter and I hope the Leader of the House will realize the fact.

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“ He said, Sir, that it was his painful duty to move this Resolution. I say nothing of the sort. It is no painful duty either for him or for me. I am not afraid of this. Even if I am shot I am prepared. The Government have the power of shooting people. They have the power to shoot at sight. That is why the Communists have come on the top. That is why Mr. Adityan and I have come to occupy these benches here. In this country, free shooting was going on. If a man says he is a Communist, shoot him ’—that is the rule now.”

SRI V. CHAKKARAI CHETTY :—“ Shoot him in jail also.”

SRI T. PRAKASAM :—“ It is nothing if you are put in jail. But you cannot shoot any one. Many persons have been taken away from their homes. They have not returned to their homes yet. Their children and their families complained to me, as I was travelling in the train, about these matters.” (Interruption from the Treasury Bench.)

SRI S. B. ADITYAN :—“ The accused is on trial. I do not think anyone can interrupt him while speaking.”

SRI T. PRAKASAM :—“ I am not on my trial. (Laughter.) I wish I could be on my trial. I wish I could be on trial—prosecuted and accused. There is nothing of the sort here. There he is and here I am. A point of jurisdiction I am raising before the House and I say that this House cannot be called upon to go into this motion. I hope my Friend, Mr. Rajagopalachari will not pursue this.”

SRI S. B. ADITYAN :—“ This is not a Court of Honour.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Chairman, Sir, I want to say a word about the point of order raised. If the Chairman after hearing me is in doubt and if he is willing to hear the opinions of other hon. Members here upon this subject before giving a ruling, then it is a different matter. The short point raised is a point of order and if I am permitted by Mr. Adityan without interruption to reply to that point, I would say . . . (Sri S. B. Adityan : ‘ This is not a Court of Honour.’) It looks as though this is a general debate and not a point of order. I am afraid, Sir, I should seek your help.”

SRI V. CHAKKARAI CHETTY :—“ May I interrupt, Sir? On this matter Mr. Adityan and other Friends who have studied these questions, want to place before you the position according to their light. The Leader of the House should not take advantage of a point of order and do all the speaking himself. Let everybody speak. Let everybody come forward to give evidence. There should be no objection.”

THE HON. SRI C. RAJAGOPALACHARI :—“ I am entirely in the hands of the Chairman.”

MR. CHAIRMAN :—“ The Hon. the Leader of the House may now speak.”

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* SRI V. CHAKKARAI CHETTY :—“ Is it that when the Leader of the House is on his legs nobody else should speak or question him? Only when the Chair is on its legs, none else can stand. If the Leader of the House also has the same right, we will not then interrupt him.”

MR. CHAIRMAN :—“ I have permitted him to speak and I do not want any hon. Member to interrupt the Hon. the Leader of the House.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ The point which I have to answer before anything else is done is a point of order raised by an hon. Member that this House has no jurisdiction to take up this matter. The plausible case cited by Mr. Prakasam is this. He says that, as in a contempt case, the Court that treats a particular piece of conduct as contempt has jurisdiction to try that case and not any other Court here also, only before a joint assemblage of the two Houses of Legislature can I bring up this Motion. He said: ‘ The two Houses of Legislature were assembled together which the Governor was to address and the joint assemblage was to listen to that address. The substance of the Motion before the House is that something took place then which amounted to disorderly conduct, discourteous behaviour and the like and therefore that joint assembly alone has the right to listen to any story about it or any complaint about it and not this House.’ Sir, the point is a short and understandable one. The only question is whether it is right or wrong that so and so should have done so. I submit that the objection is misconceived for this reason. This House as well as the Legislative Assembly has the privileges of Parliament in this respect under Article 194 of the Constitution.”

SRI S. B. ADITYAN :—“ This does not apply here.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Will you kindly let me proceed? The hon. Member wants to shut out others. He cannot interrupt always, and there must be decorum and a certain amount of order in the proceedings of this House. If the Chairman desires elucidation, he will certainly ask the hon. Member to speak. You will now see, Sir, that under Article 194 of the Constitution, this House as well as the Legislative Assembly—both the Houses of Legislature or either House of Legislature—has privileges which are well recognized as privileges in the Houses of Parliament, and breach of these privileges or any of these will be a subject matter for them to consider and take steps about. Each one of the Houses has that right. According to the Constitution, the two Houses that make up the Parliament, the House of the People and the Council of States, have individually the same rights. So also, the Council here and the Legislative Assembly here have—each one of them—the same rights and privileges, as the House of Commons in England, until they are defined by the Legislature by law.

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“ The next question is whether the misconduct that we refer to in this Motion should be taken as falling under what may be described as a breach of privilege, and if so, whether it should be taken notice of by this House. Now, if any Member of this House does anything which amounts to misconduct—the question of fact is different and I am not going into the merits of it—and if he is found guilty of a breach of privilege, this House has full competence to protect itself by admonition or censure or otherwise by imposing a penalty on the Member”

SRI S. B. ADITYAN :—“ For actions committed in this House.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ No, please. It is not at all so. It would be a kind of layman's law. What I wish to say is that every Member is bound to act in accordance with the decorum prescribed and therefore if any Member does anything which is not right and which amounts to a breach of privilege, this House has jurisdiction over that Member. As a matter of fact, the assemblage that was referred to does not constitute itself into a separate House. (Sri S. B. Adityan : ‘ It does.’) Please think along with me. But do not shout along with me. (Laughter.) There are two Houses assembled together for performing a particular function, namely, to listen to the Address of the Governor. Any misconduct anywhere, including that place, is misconduct and if it amounts to a breach of privilege, the particular House whose privilege has been violated is entitled to take it up. It has jurisdiction over one who is a Member of that House.

“ The question now is whether this misconduct should be limited to misconduct within the precincts of this House. I do not think that a breach of privilege is limited to misconduct within this House. Even if I commit a breach of privilege outside this House I am liable to answer for it here if I am a Member here. As a Member I am answerable to this House only. Therefore, Mr. Prakasam, who has acted in a particular manner (Interruption by Sri V. Chakkarai Chetty.) I am not appealing to you but to the Chair to rule out the point of order. I am not convincing you. This is a point of order, which I have to reply to.”

SRI V. CHAKKARAI CHETTY :—“ Why do you get angry ? ”

* THE HON. SRI C. RAJAGOPALACHARI :—“ I am not angry at all. Neither do I hate you. (Laughter.) I am not by any means angry. But I do not wish to permit myself to be interrupted. That is not anger. I am submitting to the Chairman a very simple answer to a very simple point raised whether this House has jurisdiction to enquire into a breach of privilege committed elsewhere. They say this House has no right to admonish a Member, whereas I say that it is not a right view of the case. Article 194 confers certain privileges on this House in general terms. There is also mention about the privileges enjoyed

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by the House of Commons which we also enjoy. This House has, therefore, a right to restore good conduct among its Members if any Member has misbehaved. This House has the right to call upon him to express regret and to admonish him. The misconduct may be here, it may be in the lobby, or it may be in the other House at a joint session. I go further and say that the two Houses were assembled together there and, therefore, any misconduct that took place—misconduct in the presence of the other Members including the Chairman of this House who was there along with the Members of the other House and its Speaker—should form a subject-matter of enquiry in the appropriate House. Therefore, there is no point whatsoever in the point of order raised."

* SRI S. B. ADITYAN :—" Sir, the Motion which has been brought up before the House is not one which can be discussed by us. That is my first point. You may call it a question of jurisdiction, or you may call it a question of competence. I have devoted some time in looking into similar cases and the authorities. Here is a Motion unprecedented in our history. Never before, in this State, never before in a Legislative Assembly, was such a Motion brought forward. The only recent case was the case of Mr. Mudgal against whom a Motion was brought forward in the Central Legislature for a breach of privilege. It is entirely different from the one before the House here. That was a case of bribery and corruption. Mr. Mudgal was charged with having received remuneration for duties which he ought not to have done as Member. There is no case either here or in England wherein a Member was hauled up for interruption or disorderly conduct. A Member of the House is different from a stranger and it is only a stranger that can be hauled up for interruption or disorderly conduct and not a Member.

4 p.m. " Sir, the issue is simple. The speech of Mr. Prakasam in the Joint Session of the Legislature is alleged, on behalf of the Government, to be an act of discourtesy and constitutional impropriety. But, actually it was not so. It was an exercise of the constitutional and fundamental right of freedom of speech, and objection to it is sought to be brought in this unprecedented and unheard of way. In fact, it is a new weapon forged for the purpose of bringing pressure on the Opposition. But the charge is a very serious matter. In case this House finds him guilty, the punishment is admonition. The admonition is that the hon. Member, Mr. Prakasam, who is the seniormost Member, will be asked to stand in his seat and the Chairman will address him and administer an admonition and the Member will have to receive the admonition with bowed head. This is the procedure for any breach of privilege, followed in the House of Commons. Sir, this book (showing it to the House) was published by the Superintendent, Government Press, Government of Madras. It is surprising that the Hon. the Leader of the House has not seen this book."

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THE HON. SRI C. RAJAGOPALACHARI :—“ I have seen it.”

* SRI S. B. ADITYAN :—“ If he had seen this, then he was not following the procedure laid down therein. In this book, ‘ Note on the Privileges of the House of Commons of the Parliament of the United Kingdom ’ the punishment for the breach of privilege is—

‘ III. Breaches of privilege—(iv) Punishment inflicted on Members. . . . In many cases of breach, a reprimand or admonition by the Speaker, administered to the offending member standing in his place is deemed sufficient.,

Sir, to a politician, even if he is charged with murder, it will not be so serious as this. This charge, if proved, is a public shame and in a matter of serious charge as this, the Opposition is entitled to take all the advantages of the procedure and to insist that the procedure laid down by the rules of this House and by Law should be strictly enforced. There is no precedent in India for a case of breach of privilege and contempt in recent times except the Mudgal case, but there also it was for an offence of a different nature.

“ Then, Sir, on the point of jurisdiction, the speech complained of was made in the Joint Session. The speech was not made as a Member of this House, but as a Member of the Joint Session—and I will quote authorities soon. Our Constitution is different from the British Constitution. Under the British Constitution, it is only the House of Lords which sits in session when there is King’s Address. The Members of the House of Commons and the Speaker are merely asked to go to the House of Lords to listen. It is not a Joint Sitting. Whereas in our Constitution, there are three different entities, the Legislative Assembly, the Legislative Council and the Legislature, that is, the Joint Session comprising the Members of both the Houses. Article 176 (1) reads—

‘ 176 (1) At the commencement of the first session after each general election to the Legislative Assembly and at the commencement of the first session of each year, the Governor shall address the Legislative Assembly or, in the case of a State having a Legislative Council, both Houses assembled together and inform the Legislature of the causes of its summons.’

In this motion it is sought to be made out as though the hon. Members are being called merely for the purpose of listening, as though it is not a sitting, as though it is not a separate entity by itself and as though the Members assembled are not there to regulate the procedure and control the proceedings. The wording is clear, ‘ both Houses assembled together.’ It is not as though the Members in their individual capacity are being called for the purpose of listening to the Address of His Excellency the Governor. It is a sitting. Sir, in the actual wording of the motion before the House, the word ‘ listening ’ is very cunningly put. It is made to appear as though the individual Members are assembled only to *listen* as in the case of the House of Commons. But, here in this State, it is a sitting and the joint session is entitled to

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control its proceedings. Here, the rules regulate the procedure of the House. Article 176 (2) reads—

‘ 176 (2) Provision shall be made by the rules regulating the procedure of the House or either House for the allotment of time for discussion of the matters referred to in such address. ’

Then, Sir, Rule 4 of the Madras Council Rules says :

‘ 4 (1) On the day appointed by the Governor for the commencement and holding of a session of the Legislature (not being a new Legislature) and in case of a new Legislature at the first sitting of the Legislature. . . . ’

Therefore, Sir, the Members are attending the Joint Session not merely for listening, but to sit and conduct ‘ a sitting ’.

‘ Therefore, Sir, my submission is that the control of the procedure is vested in the Joint House. It may be that the correct procedure is that the Joint House should elect a President, but that was not done, and my opinion is that ought to have been done. Anyway, the control of the debate is vested in the hon. Members of the Assembly and the Council, in a Joint Session. We have got to remember that, so far as the Assembly is concerned, all the Members are elected and they are more numerous. It is very wrong for us sitting in the Legislative Council consisting as we do, of Members who have come through indirect elections and through nomination, to consider this question. This House is not competent to question what was done by that larger body.

‘ Sir, what is to-day complained of was done in the presence of the Leader of the House. What is it that prevented the Hon. the Chief Minister from raising an objection there? What prevented the other Hon. Ministers who were assembled there, from raising their voices of protest if they found anything disorderly? Even His Excellency the Governor did not raise any objection. What were the 375 Members doing? The speech in question was permitted by them all. In fact, if my information is correct, certain chits were passed in which the Governor mentioned that it might be permitted. I am asking, Sir, who are we to haul up an hon. Member here for what he said in the Joint Session? Supposing for the moment we administer an admonition to the hon. Member finding him guilty of the charge which has been brought before the House and supposing in the next Joint Session which is going to be held in June, a Member in that Joint Session brings in a motion for the breach of privilege and contempt of that larger House, saying, ‘ here is a Member of this Joint Session who exercised his right of freedom of speech by delivering a speech in the Joint Session and who has been found fault with and hauled up in the Upper House for the exercise of his rights in the Joint Session ’, what answer could we give? Will it not be a breach of privilege of the Joint House for us here to question the freedom of speech expressed in the other House? As a Joint Session, that body has its own privileges, and control and conduct of proceedings.

‘ Sir, there is one other very strong reason why this House has no jurisdiction. We have our own rules which have been framed long ago and which regulate the conduct of the Members

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of this House. A certain procedure is definitely laid down in our rules which by implication excludes other procedures. Rule 70 says—

'The Chairman shall preserve order and have all powers necessary for the purpose of enforcing the rules and preventing disorder.'

There are definite rules for every House. In this connection, I may be permitted to mention the Madurai Municipal Council case wherein the High Court delivered judgment only last week that the rules obtaining there should be strictly and literally followed, and there is no other way of taking disciplinary action against a Member.

"Sir, here we have got a definite rule. Rule 72 of the Madras Council Rules says— 4-15 p.m

'The Chairman may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the House, and any member so ordered to withdraw shall do so forthwith and absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time in the same session, the Chairman may direct the member to absent himself from the meetings of the Council for any period not longer than the remainder of the session, and the member so directed shall absent himself accordingly. If such member refuses to withdraw, the Chairman may order his removal by force.'

The procedure laid down by the rule is as follows: First of all, the Chairman draws the attention of the House to the conduct of a Member. Secondly, after having called the attention of the House to the conduct of the Member, he directs the Member to withdraw from the House. Thirdly, if that Member is ordered to withdraw a second time in the same session, the Chairman directs the Member to absent himself from the meetings of the Council . . .

MR. CHAIRMAN :—"What has this rule to do with the motion before the House?"

* SRI S. B. ADITYAN :—"Having a definite set of rules for the conduct of our business, it is not for us to go beyond those rules and apply another set of rules applicable to the House of Commons. We have got these fixed, definite rules which have been in force for a considerable time.

"It has been definitely held that the House cannot enlarge its privileges through a resolution of this House. In this connection, I should like to invite the attention of the House to the useful hand-book, 'Note on the Privileges of the House of Commons of the Parliament of the United Kingdom' published by the Superintendent, Government Press, Madras. On page 1 of that Hand-book, you will see that this principle is laid down, viz., that the privileges of the House cannot be enlarged by any resolution or motion brought by the Hon. Leader of the House before this House. It says—

'In 1704 at a joint conference of the Lords and Commons it was resolved, "That neither House of Parliament has any power by any vote or declaration to create to themselves new privileges not warranted by the known laws and customs of Parliament".'

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What are the known laws and customs of this House, we know. Then it says—

‘In practice the House insists upon no more than the bare minimum of its rights necessary to uphold its proper dignity and efficiency.’

“Sir, reference was also made to Article 194 of the Constitution in support of enlarging the powers of this House. I request you to read a little more carefully and you will see that it provides only for cases which will not be covered by the rules. Article 194 (1) says—

‘Subject to the provisions of this Constitution and to the rules and standing orders regulating the procedure of the Legislature, there shall be freedom of speech in the Legislature of every State.’

So, there shall be freedom of speech in the Legislature. It does not mean the Legislative Assembly. It does not mean the Legislative Council. It means that even in the ‘Legislature’ which means the joint session of both Houses, there shall be freedom of speech. You cannot go out of the Constitution. And you cannot go outside the rules, and standing orders regulating the procedure. The Article says, there shall be freedom of speech. Therefore, you cannot import the custom and procedure of the House of Commons. What does Article 194 (3) say? It says—

‘In other respects the powers, privileges and immunities of a House of the Legislature of a State and of the members and the committees of a House of such Legislature, shall be such as may from time to time be defined by Legislature by law, and until so defined.’

Even this is a temporary provision. So, my submission is that we are governed by a definite set of rules regarding all disciplinary proceedings. Sir, our leader, Mr. Prakasam, has been accused of a very grave charge and we claim and we are bound to insist, that the procedure of this House must be strictly followed and if there is loophole in the procedure, the benefit should be given to Mr. Prakasam. Article 194 (1) and (3) will apply only in cases where there are no definite set of rules. You cannot go outside these rules and the kind of privilege which has been claimed in the motion does not exist. It is entirely out of the jurisdiction of this Honourable House to go and enquire as to what happened in the joint session of the Legislature which, as I told you already, is a separate entity. So, I consider this motion is out of order.”

MR. CHAIRMAN :—“I do not want any more speeches on the point of order. Let me give my ruling on the point of order. The position appears to me to be perfectly clear. The motion refers to the conduct of a Member of this House at the joint session of the two Houses. According to the Rules, this House is competent to take note of the same. Now, it is only for the House to decide whether the hon. Member committed a breach of privilege of the House or not and whether disorderly conduct was committed by the hon. Member.”

SRI V. GURUNANDAN ROW :—“On a point of order,
Sir . . .”

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* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Chairman, Sir, when I began to speak, I was interrupted by Sri T. Prakasam on a point of order. Then I had only just read the motion. If the point of order is first settled and I am to proceed, I have to support the motion. If, of course, any other point of order is raised, it becomes a different matter and I will not object to it. Since the discussion began and is going on in a desultory way, I only want to make it clear that I have not yet supported the motion.”

* SRI V. GURUNANDAN ROW :—“ Mr. Chairman, Sir, the motion before the House is out of order because this House has no jurisdiction to enforce any breach of its privileges. Sir, the history of privileges of the Parliament in England has arisen out of what is known as the ‘ High Court of Parliament ’. Parliament exercised certain rights which courts exercised and as a matter of fact, contempt proceedings of the High Court of Parliament are similar to the contempt proceedings of courts. As far as our own House is concerned, Article 194 (3) of the Constitution provides for the privileges of this House. Article 194 (3) says—

‘ In other respects, the powers, privileges and immunities of a House of the Legislature of State, and of the members and the committees of a House of such Legislature shall be such as may from time to time be defined, by the Legislature by law and until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of this Constitution.’

Sir, apart from these rules and privileges, there are Fundamental Rights granted to the citizens of India. Certain procedure has to be followed before any action can be taken against any offender. In England, for the contempt of the House, the Speaker can send a person to jail. But can you do so here? Also, there is the question whether the Fundamental Rights granted under Articles 21 and 22 (1) will not be contravened. In this connection, I should like to invite your attention to the pamphlet ‘ Note on the Privileges of the House of Commons of the Parliament of the United Kingdom ’ published by the Superintendent, Government Press. At page 12, the note says—

‘ Article 194 (3) seems to be defective inasmuch as it does not lay down any sanctions or punishments or procedure for dealing with the offenders. In the absence of such sanctions the power conferred by the clause seems to be more imaginary than real. In the House of Commons, different ways of dealing with different breaches of privilege are laid down by long established custom and tradition.’

So, unless a law is made defining the privileges of the House there is no sanction behind the decision of this House. Mr. Chairman, you might have heard of the case of Mr. Mistry, Deputy Editor of the ‘ Blitz ’, where the difficulty arose as to how the sanctions for the breach of privilege could be actually enforced. It was not only because the contempt was outside the jurisdiction of the State (Uttar Pradesh) but it was also because it became impossible

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to follow the exact procedure of the House of Commons which says that an offender should be put in the Tower and I understand they wanted to have a Tower built in Uttar Pradesh."

* SRI V. CHAKKARAI CHETTY :—They want to build a cage! "

* SRI V. GURUNANDAN ROW :—" I think that unless a law is made defining the privileges of each House, this House has no jurisdiction to pass any punishment at all on any person because it does not have sanction.

4-30
p.m.

" There is no procedure. A person is being punished without observing any procedure at all. Is there any provision made for a person who has been called to defend himself to examine witnesses or has he got any other rights of an accused person? Therefore, Sir, unless a provision which complies with the Fundamental Rights is there, no action under privileges can be taken. This is my submission on this point."

SRI V. CHAKKARAI CHETTY :—" Sir, I wish to raise a very strong point. A good deal has been said by the Leader of the House regarding his freedom from hatred. I want to reciprocate that statement. I too do not want to hate him. We all love him as far as human nature is capable of doing. Apart from that, Sir, I wish to ask this question. On 6th May 1952, at a joint meeting of both Houses something is supposed to have happened. I do not know what really happened. Because you are calling up Mr. Prakasam to answer a charge, your charge must be authenticated by evidence as to what really happened on that occasion. He is supposed to have made a speech. Have we got a copy of the speech before us so that we may examine for ourselves in the context in which that speech was made, whether that speech was an infringement of the privileges of this House, and whether there was anything improper or indecorous in the speech that he made on that occasion? All these are suppositions which the Leader of the House wants us to make in order to facilitate him to pass this vote of censure. This is altogether unprecedented. As my Friend, Sri V. Gurunandan Row, pointed out there is no procedure that has been laid down so far as this legislature is concerned regarding inquiry into the conduct of any person who is supposed to have committed a breach of the privilege of the House. I was simply astonished when the Leader of the House said he will take cognizance of anything that may be done even outside the precincts of this House. Supposing a Member of this House beat his wife. It is altogether a bad thing, although many people indulge in that pastime. Do you mean to say, Sir, the Leader of the House will come forward with a motion to censure the conduct of that Member as being unworthy of a Member of this Honourable Legislature. Sir, my point is this that we have no materials on which to come to any judgment. I can give you, Sir, my own version of what happened on that occasion. On

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that occasion, there was no interruption of the speech of the Governor. My Friend, the Leader of the United Democratic Front, rose up—indeed you must not forget that he rose up—and said, ‘On a point of order, I wish to draw Your Excellency’s attention to this’ We must know all that really took place. The Governor sat down. If the Governor really thought that it was an unseemly conduct, he could have asked Mr. Prakasam to sit down. From the way in which the Governor sat down, I came to the conclusion that he wanted to hear Mr. Prakasam’s point of order. It seemed to me to be quite a legitimate thing for Mr. Prakasam or any other Member to have drawn the attention of His Excellency to something very important that he wanted to say.

“Sir, before I sit down, I hope you will permit me to put one more question. Supposing you invite me to your house just as the Governor invited all of us to the joint session of the Legislature and supposing I wanted to make up my mind to go away from your house for some reason or other, do you not think it would be consistent with my duty to you and my respect for you that I should explain why I am leaving you? Would it be really honourable on my part if, instead of doing so, I turned my back upon you and went away? So, my Friend, Sri Prakasam, got up on a point of order and said, ‘This is the reason why I am leaving the House followed by the Members of the United Democratic Front.’ Taking all these circumstances into consideration, it does not seem to me that this House has the right to go into a matter like this without having all the facts before it, and without taking all the circumstances into consideration. There is no procedure and there is nothing except that resolution of the Leader of the House and what he is going to say from his own imagination. He is indebted for many of his facts to his imagination which is a very fertile one. Therefore, Sir, I impress upon this House that it has a great duty to perform and if you are going to censure the Leader of a great party in this City and in this State, we will be placing ourselves open to ridicule. We cannot summon the public for contempt of the privileges of the House. If meetings are held all over the State condemning the action of the Leader of the House, then the Leader of the House cannot summon all these lakhs of people that might assemble at these places. I appeal to this House and the Leader of the House to ponder over these facts and not to rush to conclusions in order to vindicate, not the dignity of the Governor, but to vindicate his own dignity and the unfortunate position in which he and his friends have been placed.”

MR. CHAIRMAN :—“I have listened to the further point of order and I do not see any reason which would make me change the ruling I have already given. This House is competent to deal with this matter. I now call upon the Hon. Sri C. Rajagopalachari to speak.”

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* SRI S. B. ADITYAN :—“ Sir, I do not question your ruling that this House has jurisdiction but I wish to submit a further point of order, viz., that this motion as brought forward is out of order, for another entirely different reason, in that it may lie against a stranger and not against a Member. I will now quote authorities in support of this.”

THE HON. SRI K. VENKATASWAMY NAIDU :—“ Sir, on a point of order, I would submit that Sri Adityan has already raised a point of order in which he should have mentioned all his objections. I do not think it is open to him to raise a further point of order after the Chair has given its ruling.”

SRI M. P. GOVINDA MENON :—“ Mr. Chairman, Sir, on a point of order, can a person who is not a Member of this House interfere in this discussion about the privilege of this House? ” (Laughter.)

* SRI S. B. ADITYAN :—“ Sir, this is not a matter to be laughed at, but a very serious matter and I ask you, Sir, to pay concentrated attention to this. My submission is that such a Motion can be brought only against a stranger and not against a Member of this Honourable House.”

MR. CHAIRMAN :—“ The Motion before the House relates to the conduct of a particular Member at a joint session of the Legislature and I have given my ruling that this House is perfectly competent to deal with this. There is no further argument about it except for the Hon. Sri C. Rajagopalachari to move his resolution.”

SRI S. B. ADITYAN AND SRI M. P. GOVINDA MENON :—“ Does it mean, Sir, that we cannot for ever raise any more points of order? ” (Cries of ‘ order, order ’.)

SRI N. ANNAMALAI PILLAI :—“ Mr. Chairman, Sir, on a point of order. இதற்கு எதாவது முடிவு உண்டா இல்லை யா? ஒரே ஆள் மூன்று, நான்கு தடவைகள் point of order ஐ எழுப்பிக்கொண்டே இருந்தால் இந்த சபை நடக்கிறதா இல்லையா? அதனால் அனாவசியமாக காலம் வீணாகிறது. இவர்கள் பேசுகிறதைக் கேட்பதற்கு நான்கள் இங்கே உட்கார்ந்து கொண்டிருக்கிறோம்? இங்கு நடக்கும் நடவடிக்கைகளில் கலந்துகொள்ளத்தான் நான்கள் வந்திருக்கிறோம்.”

MR. CHAIRMAN :—“ I have given my final decision. There will be no further point of order. The Hon. Leader of the House will now move his motion.”

* SRI B. V. SUBRAHMANYAM :—“ Mr. Chairman, Sir, I want to raise a point of order which has not been raised by any other hon. Member, and which goes to the root of the matter. I request you, Sir, not to rule it out of order, as each one of the rulings given by you applies to the particular point of order raised and not to all points of order irrespective of their having been raised or not, and whatever they might be. If you are not going to allow it, Sir, I say it deliberately, you are gagging our mouths.”

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You, Sir, holding the privileges of the House in your hands, cannot forejudge what points of order can be raised by other persons, because I have been waiting to raise my point of order, for the last twenty minutes. Probably, my friends have forestalled me in catching your eye but that does not mean that the rulings with respect to their points of order cover the point of order which I am raising and I wish that you, Sir, as Chairman should not say that future points of order are also ruled out in this manner. There is no provision in the Rules to rule out any point of order. The hon. Members of this House can raise a point of order at any stage. Once a point of order has been raised, it is for you to consider whether there is any substance in it. Without hearing a point of order, I submit, it would be the barest act of injustice to democracy to say that we should not open our mouths even in this House. Therefore, Sir, I request you very respectfully to hear all those who have got points of order to raise whatever those points of order may be. If they are irrelevant or if they are meaningless and merely meant to waste the time of the House, I certainly agree that you, as Chairman, can say they need not be gone into."

MR. CHAIRMAN :—" The hon. Member has taken more than ten minutes to say what could have been said in 5 seconds."

SRI B. V. SUBRAHMANYAM :—" Sir, I have not taken more than two minutes."

MR. CHAIRMAN :—" The hon. Member will please sit down when I am speaking. One, two and more than three points of order have been raised and I have given my ruling on these points of order. We cannot go on raising points of order the whole day. The hon. Member has not caught my eye and I have given my final ruling and there is nothing more to add to that. There will be no more points of order."

SRI S. B. ADITYAN :—" No more points of order now and for ever? "

MR. CHAIRMAN :—" There should be a certain amount of decorum and decency in this House and the hon. Member, Sri S. B. Adityan, should not interrupt me when I am speaking. I have given my ruling and that is final. I did not say the ruling is for ever. I have got the business of the House to be carried on and the ruling will be given effect to."

SRI T. PRAKASAM :—" My hon. Friend, Sri B. V. Subrahmanyam, has got a new point of order to place before you. Do you say, Sir, that you refuse to hear him? "

* SRI B. V. SUBRAHMANYAM :—" Sir, I did not want to say anything in respect of the points of order raised by the others and that is why I did not get up. It should be understood, Sir, that I did not know, that even if I did not intend to talk on another Member's point of order, I should rise and try to catch

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your eye in order to raise my own point of order. If you, Sir, gag me out, and I cannot raise my point of order I shall have to submit to your decision respectfully. I am in your hands.

MR. CHAIRMAN :—“ The business of the House must go on.”

4-45 P.M. * THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, after all that has happened, although they were called points of order, there was a considerable amount of discussion on the merits also. In fact an appeal was made by one of the speakers, speaking on a point of order, that a senior Member of the rank and status of Sri Prakasam should not be put through this kind of Motion or trial, if I may so call it. The point is very simple. We have jurisdiction, first and primarily, over our Members and also in respect of certain matters concerning outsiders. The jurisdiction over our own Members is comprehensive wherever the conduct that we complain about is in derogation of the prestige or the authority of the House. In respect of others, certain other things have to be proved. So far as Members are concerned, if a Member misbehaves at a meeting, that behaviour must be dealt with under the ordinary rules, but where we have to deal with the conduct of a Member at a time and at a place when the two Houses assemble together under Article 176 of the Constitution, it is not treated as a separate House but it is an assembly of the two Houses together sitting for a particular purpose. Mr. Adityan was arguing—now I am not referring to the point of order raised by him”

(At this stage Sri M. P. Govinda Menon was seen raising from his seat.)

* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Govinda Menon, I know a certain amount of procedure, though I am not as clever as you are. The point that was raised was that the behaviour of a Member at that place should be adjudged by some authority at that meeting and by no other authority. That was not only a point of order but also a point of merit. The question that I am addressing myself to is that the Constitution does not provide for a third House constituted by a joint sitting. There is a provision for that with regard to the Parliament at Delhi but so far as this Legislature is concerned, there is no provision for any joint sitting. The two Houses are two Houses only. When there is a difference of opinion, there is a special procedure prescribed and there is no question of a joint sitting. The only time when the two Houses assemble together is under Article 176 of the Constitution and under that Article the two Houses sit together in order to fulfil a particular function. There is no question of a third House having been created and all privileges and other procedures in respect of that third House, being governed by a different set of principles and rules. Therefore we are concerned with the misconduct of one of the Members of

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our House in respect of a matter in which we are interested, and deeply interested. We had assembled at the joint sitting in order to listen to the Governor's Address and we had to be on our behaviour—every one of us—and instead of that, we observed there was interruption. It is not the subject-matter of the speech that we are concerned with so much as the interruption itself. The interruption was there and the interruption was not by chance or provoked by a casual incident, or in excitement, or something of that kind. But it was deliberate interruption followed by deliberate walk-out, when that interruption was not accepted as lawful or as legal by the Governor. In fact, when the thing was finished the gentleman who made the interruption followed by others did not even sit down but walked out. The main point to be considered is whether that interruption is a matter which may be overlooked. If it had been even a case of interruption or mis-conduct of a kind which could be overlooked without detriment to the future work of the House and without detriment to our prestige and without detriment to the dignity of the House, I would not, Sir, have brought this Motion. It is because I feel that it is a bad precedent that I think it must be set down as wrong. It is because of that I consider it necessary—as I described it a painful duty—to bring this motion. The question as to what should be done for the offence is covered by the Motion itself. The Motion is that we should hold our opinion and express that opinion. That expression itself will be the admonition of the Member concerned. All that I genuinely want is that this incident should not be treated as a precedent, that when we meet together under the Constitution, with the Head of the State giving the programme of the Government through an Address it should not be an occasion for debate or wrangle or interruption. I, therefore, wish to appeal to the House to accept the Motion.

“As regards the gravity of the conduct in question, hon. Members have referred vaguely to the unfortunate fact that it is a very senior Member who is concerned in the matter. I wish to point out that misconduct by a new Member or by a junior Member is not of much importance, but if the interruption is wrong, then the more senior a Member the greater should be the attention directed to that matter. If a Junior Member reads out a long manuscript speech, the Chairman or the Speaker does not interrupt him. Supposing a senior Member does it, the Chairman or the Speaker intervenes. Here, it is a clear case of interruption and misconduct, and I submit with all respect to my friend, Mr. Prakasam, that there is no question of *mala fides* in the matter, or that we are led away by our political opinions. There is no doubt whatsoever that when we have a political plan we are often misled into error in support of it. But that error would not matter if it did not lay down precedents for future errors by others. Here the idea is that a particular Government which was called upon to take over charge should not take over charge. I am quite sure that

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Mr. Prakasam thinks genuinely that I should not have been called upon by the Governor, that I should not have formed the Ministry and that the Governor should not have accepted my Ministry as the Government and therefore the Address should not be read. I have no doubt, he was sincerely convinced that his interruption was just, good and right on merits. But the question before us is whether it can be passed as legitimate or constitutional or proper. It is only when we are convinced that a certain thing is necessary and that happens to be a political step, we lose our judgment and we are sometimes misled into errors. That is the genesis of this action. It is no justification. Surely Mr. Prakasam is not one who would have indulged in such a thing if he had not been convinced that it was the right thing to do. That is the very reason why we should mark our disapproval of that act. I shall not say more about the facts. The facts are known as the whole incident occurred in the open House. You, Mr. Chairman, were present. The entire House was present on the occasion and I am not referring to anything that happened outside. All people knew about the interruption, the manner of the interruption, the time of the interruption, the context of interruption and the manner in which Sri Prakasam spoke, namely 'Since you think you are competent to address and I do not think so, and you do not accept my argument that you are incompetent, I walk out with my friends.' That is the incident which happened at that time before everybody. And apart from other people we were all present there. It would be a waste of time for me to go into the facts. I submit it was highly improper conduct and we should mark our disapprobation by adopting this motion. Sir, I move the motion standing in my name."

The Hon. Sri K. Venkataswamy Naidu seconded the motion.

SRI S. B. ADITYAN :—" I wish to know whether the Hon. Chief Minister can cite one instance of a Member being hauled up for interruption and disorderly conduct and whether such a motion is not applicable only to strangers and not to Members? "

* THE HON. SRI C. RAJAGOPALACHARI :—" My hon. Friend, Sri Adityan, was saying that this was the first time such a Motion was being brought in. I am very sorry to have to answer in his own language. This is the first time that a man of Mr. Prakasam's position and seniority has chosen to interrupt on an occasion of that kind. Since the event has happened for the first time, notice of it also is taken for the first time.

" Mr. Adityan asks whether the House has ever exercised its jurisdiction over its Members and not over outsiders only. The most recent case which the hon. Member should have known is Mr. Mudgal's case in Parliament. It was disposed of by that House. The offence might differ and the nature of misconduct might differ. But the question before the House is the same. There is nothing wrong and everything is right, in the House

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exercising its jurisdiction first over its Members before proceeding against outsiders. The question is, whether the conduct of the Member was right or wrong. That depends on and is answered by the plain facts."

SRI T. PRAKASAM:—"Sir, The Hon. Sri Rajagopalachari has put the case very briefly. His complaint is that I got up at the joint sitting and addressed the Governor and that is wrong. Sir, I am very glad, he has admitted or he has stated that no further enquiry need be made in this matter. Since you, Sir, are new to your place and I am also new to my place in the Opposition, I wish to explain certain matters.

"This morning before I came here, there was a call on the telephone. The person at the other end said that it was 'Mr. Rajagopalachari speaking.' Well Sir, what did he say? He asked me, 'Are you attending the Council to-day?' The same question was repeated thrice by the person at the other end of the phone. I said, 'Yes, I am attending the Council positively.' Then the person at the other end told me 'They are going to expel you; are you going to attend the House still?' I told him, 'Certainly I am going to attend the House and face that music also, my friend, don't worry.' At first I thought that it was really Mr. Rajagopalachari who had spoken to me, but then I had a suspicion because the voice was not exactly like that of Mr. Rajagopalachari. So, as soon as I came here, I asked him, 'Did you call me on the phone this morning?' He said, 'No'. I am giving this incident for the amusement of all the Members and visitors of this House. I want to know who was that man that called me on the phone and asked me three times the question whether I am attending the House. I must only appeal to the authorities if there are any in this land, to find out who that man is."

THE HON. SRI C. RAJAGOPALACHARI:—"Are you satisfied that it was not I who spoke?"

SRI T. PRAKASAM:—"I am perfectly satisfied that it was not you.

"As regards the charge, I am sorry, it was considered proper and necessary that a resolution of this kind should be placed before this House. The resolution was communicated to me saying that I will have to reply to it this day—13th of May. I do not know what is there for trial before the House now? Mr. Rajagopalachari has set out the case for the resolution. I am here in flesh and blood to say what I have to say in the matter. I say, I am the man who stood up in the joint sitting before the Governor and made the speech. There is no complaint so far as the speech is concerned. I made the speech on a point of order. To consider why I had to make that speech, we must take into account all that has happened in this State during the last five years.

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5 p.m.

"So far as Madras was concerned there was an order from the Congress High Command that I should not move any resolution, before the Assembly over which Sri Siva-shanmugam Pillai was presiding, regarding the conduct of the then Ministers. I refused to obey that order. Then there was an order from the so-called High Command of the Congress that I should not make any speech on my charges against the Ministers. I refused to obey that order also, because it involved the fundamental rights conceded not to Mr. Prakasam, or any legislator or any particular person, but to the people of India as a whole. In the Preamble to the Constitution—I was also a member engaged in drafting that Constitution—we changed the name of King George and we stated in clear language that the people of India shall be the rulers of India from to-day onwards. It is in accordance with that dictum we have to conduct ourselves.

"I need not be told what to do on matters of decorum and decency. Unless I had been properly advised and was quite certain that I was perfectly justified in doing so, I would not have got up to speak while His Excellency rose to deliver his address. I got up and spoke what I had to speak. You, Mr. Chairman, have not become used to rules and precedents in the House of Commons, House of Lords and even this House also. You may in course of time get used to all these things. You have got to hear all sides. I am not arguing. I am not quoting anything in support of what I have done. My conduct is one that would be perfectly justifiable having regard to the circumstances in which we had been placed and conditions obtaining in the State during the last five years.

"My hon. Friend, Sri C. Rajagopalachari has said something about decency and decorum in connection with my rising and interrupting the Governor while he rose to deliver the Address. I told the Governor that I was rising on a point of order. The Governor after hearing me sat down in his chair and allowed me to complete what I wanted to say. Why did the Governor do like that? My friend should examine that point. He has to examine our previous history. We have been the subject race of Great Britain for nearly 200 years. We have copied the Constitution of Great Britain. Even in this Constitution of ours allow me to tell you, Mr. Chairman, that I am not very proud of it—which we have framed after three years labour, we have copied bodily the Constitution of 1935. While the Constitution was being framed I had to struggle on the floor of that House with the President of that Assembly who was in charge of framing the Constitution. I asked him whether it was for the benefit of the people of India or the people of Great Britain that we were framing this Constitution. 'Are we to be governed by our own people or are we to be governed by the British', I asked. Then there was a change made in the Preamble to the Constitution.

"Apart from all these, why did I rise to make my speech while the Governor was addressing? I wanted to rise on a point of

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order, because I wanted to place before the very eyes of the Governor certain facts. I did this knowing fully well that I was perfectly right in doing so.

“ Sir, I think I have made my points very clear.”

MR. CHAIRMAN :—“ Am I to take it that hon. Members want to sit till 6 o'clock to finish off the agenda? ”

SRI S. B. ADITYAN :—“ Sir, under rule 21 of the ‘ Rules of Procedure of the Madras Legislative Council ’ it has been our convention that discussion, if at all should be continued after 5 p.m. should be proceeded with only if there is agreement on both sides. Now we are completely washed out and I request that we may continue our discussion tomorrow.”

MR. CHAIRMAN :—“ I now adjourn the House to meet again at 11 o'clock tomorrow morning.”

The House then adjourned to meet again at 11 a.m. on Wednesday, the 14th May 1952.

VL.—PAPER LAID ON THE TABLE OF THE HOUSE.

Amendment to the Malabar Tenancy Rules, 1951.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS